

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

ORDER
08-CR-209A

RASHAWN DEWER,

Defendant.

This case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1)(A). On September 25, 2008, defendant filed motions to suppress. On September 15, 2009, Magistrate Judge Schroeder filed a Report and Recommendation, recommending that defendant's motions to suppress be denied.

Defendant filed objections to the Report and Recommendation on November 20, 2009, and the government filed a response thereto. Oral argument on the objections was held on November 10, 2009. At the Court's request, the parties filed supplemental briefing on November 20, 2009.

Pursuant to 28 U.S.C. § 636(b)(1), this Court must make a de novo determination of those portions of the Report and Recommendation to which objections have been made. Upon a de novo review of the Report and Recommendation, and after reviewing the submissions and hearing argument

from the parties, the Court adopts the proposed findings of the Report and Recommendation.

Accordingly, for the reasons set forth in Magistrate Judge Schroeder's Report and Recommendation, defendant's motions to suppress are denied.

The case is referred back to Magistrate Judge Schroeder for further proceedings.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
CHIEF JUDGE
UNITED STATES DISTRICT COURT

DATED: December 11, 2009